

# WORKERS' COMPENSATION CLAIMS & COVID-19

## FREQUENTLY ASKED QUESTIONS

### Will COVID-19 claims impact my workers' compensation rates?

**No**

All losses for allowed claims, regardless of whether employees test positive for the virus, will not be included in an employers' experience modification factor, and businesses will not lose their claims-free discounts as a result.

### We participate in a Retro group, will COVID-19 claims impact our company's refund?

**No**

Losses for these claims will not be included in Retro adjustment calculations.

### Our Retro group has a KOS policy. Does this apply to COVID-19 claims?

**No**

If you are in a Retrospective Rating program, you do not have to "keep on salary" (KOS) employees who file COVID-19 claims as there is no financial benefit to you or the Retro group for doing so.

### Are there any circumstances where COVID-19 claims will impact our workers' compensation account?

**No**

From a workers' compensation perspective, you are not charged in any way for COVID-19 claims.

### Is Labor and Industries (L&I) allowing all COVID-19 claims?

**No**

L&I will allow a claim for COVID-19 if the employee has an increased risk of exposure over the general population because of his/her work environment. L&I will ask, "If not for their job, would the worker have been exposed or contracted the condition?" When exposure is incidental to the workplace, the claim will likely be denied.

### Can employers protest a COVID-19 claim?

**Yes, but...**

As an employer, you have the right to protest the allowance of a claim for COVID-19; however, doing so will not benefit your company financially because you are not charged for these claims.

### Can I obtain employee medical information regarding COVID-19, like test results and expected release to full duty?

**Yes**

Please call L&I directly to get information on your employee at 1-800-831-5227 and have the claimant's claim number ready.



### Additional information outside of Workers' Compensation:

Please consult your Human Resources professional for guidance on FMLA, ADAAA, Washington Family Leave, State sick leave laws, etc., to address obligations outside of workers compensation.

### CONTACT

For more information please contact your ERNwest Claims Manager.

[www.ernwest.com](http://www.ernwest.com)

